

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – OCTOBER 8, 2015**

The meeting was called to order at 9:00 A.M. with Commissioners Arthaud, Kasian, and Kessel in attendance.

Others present during portions of the meeting were: Jeff Iverson, Chad Crist, Kasey Malkowski, Jason Kastrow, Cody Armbrust, Devon Kessel, Randy Kulish, Bryan Armbrust, Rene Berger, Ted Renner, Donna Adams, Kathy Dosch, Chris Johnson, Keri Rummel, Pat Rummel, Larry Johnson, Susann Wolf, Amber Koehler, Jen Turnbow, Andrew Krebs.

Kasian moved to approve the minutes from the September 1, 2015 regular meeting. Kessel seconded. All voted aye.

Auditor Lamb brought to the board's attention that a representative for Billings County needed to be appointed to the Badlands Human Service Center. Ambulance Director Keri Rummel attended the last meeting and stated that she would serve as representative. Kessel moved to appoint Keri Rummel to a 2 year term. Kasian seconded. All voted aye.

Discussion ensued by the board regarding the salary increases that were made at the September 1 meeting. Chairman Arthaud discussed his reasoning for making the motion to increase Sheriff Rummel, Road Superintendent Iverson, and Auditor Lamb. Chairman Arthaud again made a motion to increase Sheriff Rummel, Road Superintendent Iverson and Auditor Lamb by \$5,000. Kasian stated that he agreed with the increase for those three and discussed the motion that he made at the September meeting to increase department heads Recorder/Clerk of Court Donna Adams, States Attorney Jay Brovold, Ambulance Director Keri Rummel, and Tax & Zoning Director Stacey Swanson by \$3,000. He added that he would like to either add Courthouse Maintenance Larry Johnson or rescind all other department head increases. Discussion went to the employees that were in attendance and Chairman Arthaud brought up having a salary study done by an outside consultant. Kasian seconded Chairman Arthaud's motion. Kasian and Arthaud voted aye. Kessel voted nay. Motion passed.

At 10:00am, the Public Hearing opened for the proposed Zoning Ordinance Amendment. This amendment was approved at the August Zoning Meeting. Kasian moved to adopt the amendment to Billings County Zoning Resolution No. 1, 7.10 Procedure for hearing notices. Kessel seconded. All voted aye.

AMENDMENT TO BILLINGS COUNTY ZONING RESOLUTION NO. 1

7.10 Procedure for Hearing Notices:

In order to engage and poll the public that may be affected by requests and applications to the Planning & Zoning Board, in addition to the required Public Hearing Notice published in the official newspaper of the county, the County Zoning Administrator shall post the notice on county's website at www.billingscountynynd.gov and mail copies of the notice under these provisions;

- 1) Mailed notices shall be sent for the following types of zoning requests:
 - Amendments to the Zoning District Map;
 - Conditional Use Permits;
 - Variances;
 - Major Subdivisions;
 - Minor Subdivisions;
 - All uses proposed in Commercial Zoning Districts;
 - All uses proposed in Industrial Zoning Districts
- 2) Copies of the Public Hearing Notice shall be postmarked and mailed at least ten (10) days prior to the day of the hearing to the property owners within 1/4 mile (1320 feet) of the parcel(s) for which a hearing is being held.
- 3) Parcel records maintained by the County Tax Director's office shall be used as the official record to determine the location, identity, and address of adjoining property owners.
- 4) Mailed notices are considered to be a courtesy to adjoining property owners. Failure to receive a copy of the notice does not invalidate any decision by the Planning and Zoning Board or by the Board of County Commissioners.

The above Amendment was approved by the Billings County Board of County Commissioners on the 8th day of October, 2015.

By: James R. Arthaud, Board Chairman

Attest: Marcia Lamb, County Auditor/Treasurer

The board reviewed zoning request that had been addressed by the zoning board at their September 17, 2015 meeting as follows:

Donovan O’Brien: Application to rezone the S1/2SE1/4, SE1/4SW1/4 14-139-102 from Commercial to Recreational (3887 East River Rd SW). The property is being purchased by the O’Briens; Tim Wilhelmi has consented to the change in zoning. The zoning board approved the rezoning of the property from commercial to recreational. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

The board received and approved the following permits with road superintendent conditions:

ARW Permits

- Goldenwest Electric – Section 7-143-102 along Bell Lake Road
- Midstate Telephone – Section 29-139-102 crossing West River Road
- Jim Haag – Section 23-144-99 crossing 10th Street SW
- Kurt Kordon – Section 31-143-99 along 18th Street SW

Sheriff Rummel presented his monthly report. He presented the annual Department Of Transportation seatbelt grant. Chairman Arthaud signed. Discussion ensued regarding mileage for service of legal document charges. Kasian moved to set mileage fee at .50 per mile. Kessel seconded. All voted aye.

Sue Wolf and Amber Koehler were present from Belfield Ambulance and said that after discussions with Stark County, they will support the cost of the ambulance building by giving them 25% of the cost share of the grant. They stated that the City of Belfield was not in a financial position at this time to provide any funding. Kessel moved to provide \$78,000 to support the cost. Kasian seconded. All voted aye.

Auditor Lamb informed the board that she had done research in the inquiry by Recorder/Clerk of Court Donna Adams that her sick leave and vacation had not been paid out when she moved from employee to elected official in 1995. Auditor Lamb stated that the total amount that was not paid out at her salary in 1995 would be a total of 107 hours at \$13.82/hr for a total of \$1,879.52. Kessel moved to pay this amount to Adams. Kasian seconded. All voted aye.

Jeff Iverson discussed his monthly road report.

Andrew Krebs from KLJ was present for the monthly engineers report. Jen Turnbow was present to discuss the LMRC progress.

The board recessed from 12:00 to 1:00 P.M.

The following claims were approved for payment:

PAYEE	CHECK #	AMOUNT
Blue Cross Blue Shield	010042	\$ 3,063.40
N.D. P.E.R.S.	010043	\$ 48,943.56
24/7 Contracting Services, LLC	010044	\$ 27,053.75
ABC Fencing, LLC	010045	\$ 1,402.68
Acclaim Trucking, LLC	010046	\$ 22,463.00
AcquiSign	010047	\$ 450.00
Adams, Donna J.	010048	\$ 1,879.52
Advanced Business Methods	010049	\$ 20.07
Advanced Collision Center, LLC	010050	\$ 839.90
Alternative Sanitation	010051	\$ 220.00
American Planning Association	010052	\$ 349.00
AmeriPride Linen Service	010053	\$ 320.89
Andreas, George & Rose Marie	010054	\$ 250.00
A T & T Mobility	010055	\$ 75.00
Belfield Automotive Supply, Inc.	010056	\$ 1,506.19
Belfield Plumbing & Heating	010057	\$ 263.50
Billings County Rural Fire District	010058	\$ 230.49
Billings County Historical Society	010059	\$ 3,500.00
Billings County Pioneer	010060	\$ 407.36
Billings County Pioneer	010061	\$ 34.00
Billings County School District	010062	\$ 4,205.03
Billings County Sheriff	010063	\$ 287.72
Boespflug Trailers & Feed	010064	\$ 53.70
Boltz Construction	010065	\$ 1,410.00
Bound Tree Medical	010066	\$ 1,799.54
Branded Graphics, LLC	010067	\$ 115.00
Brooks & Associates, C.E.	010068	\$ 768.50
Brooks & Associates, C.E.	010069	\$ 3,581.20
Butler Machinery Co.	010070	\$ 28.96
CDW Government	010071	\$ 5,471.03
CDW Government	010072	\$ 22,138.08
Cerkoney, Cathy	010073	\$ 90.25
Ceritifed Power, Inc.	010074	\$ 267.50
Chesak Seed House	010075	\$ 3,891.00
Creative Energy	010076	\$ 2,246.07
D & D Sprinkler Systems	010077	\$ 225.00

D & K Services, LLC	010078	\$	1,023.66
Dahlin, Inc.	010079	\$	28,750.00
Dakota Dirt Works	010080	\$	40,442.50
Dakota Farm Equipment, Inc.	010081	\$	1,335.53
Dakota Filter Supply	010082	\$	388.02
Daimler Financial	010083	\$	152,458.49
Deans Distributing	010084	\$	1,357.02
DF Lighting Company	010085	\$	550.08
Dickinson Public Library	010086	\$	4,111.55
Donut Hole	010087	\$	138.00
Dryland Enterprises	010088	\$	73,485.00
Electronic Communications	010089	\$	262.00
Emil's Repair	010090	\$	83.50
Erickson Trucking, Greg	010091	\$	71,437.50
Expressway Suites – Bismarck	010092	\$	74.10
Ferguson Enterprises, Inc.	010093	\$	1,487.71
Forsgren Associates, Inc.	010094	\$	3,375.60
Four Corners Café	010095	\$	270.00
Gall's, Inc.	010096	\$	3,548.65
George's Tire, Ltd.	010097	\$	481.00
Golden Valley County	010098	\$	12,716.03
Helena Chemical Company	010099	\$	3,237.71
Hintz, Kadon	010100	\$	2,000.00
Hlebechuk Construction, Inc.	010101	\$	1,310.00
Hlebechuk Construction, Inc.	010102	\$	115,833.09
Hlebechuk Construction, Inc.	010103	\$	100,052.50
Holiday Inn – Fargo	010104	\$	204.00
Johnson, Christine	010105	\$	40.25
Kadrmass, Lee, & Jackson, Inc.	010106	\$	78,666.84
Kasian, Connie	010107	\$	84.50
Kasian, Michael E.	010108	\$	174.23
Kastrow, Jason	010109	\$	35.00
Kessel, Anita F.	010110	\$	96.00
Kessel, Clara	010111	\$	775.65
Kessel, Joseph L.	010112	\$	261.60
King Speed Printing	010113	\$	445.00
Kohler Communications	010114	\$	200.00
Krush, Paul	010115	\$	98.30
LF Grading, LLC	010116	\$	17,450.00
Lindbo Welding Service	010117	\$	150.00
Little Missouri Restaurant & Saloon	010118	\$	510.00
Mac's, Inc.	010119	\$	223.25
Mainstay Suites – Bismarck	010120	\$	237.00
Malkowski Trucking	010121	\$	40,437.50
Martin Construction	010122	\$	88,198.50
Matthew Bender & Co., Inc.	010123	\$	1,031.75
MBI Energy Logistics	010124	\$	1,812.50
MBI Energy Rentals, Inc.	010125	\$	1,039.50
Medora, City of...	010126	\$	1,177.15
Menards – Dickinson	010127	\$	375.29
Midstate Telephone Company	010128	\$	917.40
Missouri Valley Petroleum, Inc.	010129	\$	360.64
Mobile Binders	010130	\$	955.28
National Association of Counties	010131	\$	450.00
National Public Safety Information	010132	\$	144.00
N.D. Association of Counties	010133	\$	279.09
N.D. Attorney General	010134	\$	300.00
N.D. Cowboy Hall of Fame	010135	\$	200.00
N.D. Office of the State Auditor	010136	\$	165.00
N.D.P.E.R.S.	010137	\$	3,392.00
N.D. State Radio Communications	010138	\$	1,663.08
N.D. State Tax Commissioner	010139	\$	70.50
N.D. State Treasurer	010140	\$	113.27
NDACO Resources Group, Inc.	010141	\$	1,893.46
Newby's Ace Hardware	010142	\$	71.99
Northern Plains Erosion Control, LLC	010143	\$	455.00
Northwest Tire, Inc.	010144	\$	1,197.92
Off Road Software, Inc.	010145	\$	695.00
OK Tire Stores	010146	\$	1,327.71
Penguin Management, Inc.	010147	\$	2,268.00
Pump Systems, Inc.	010148	\$	611.85
Ramkota Hotel – Bismarck	010149	\$	74.70
Randy's Construction	010150	\$	21,285.00
RDO Trust 80-5800	010151	\$	1,020.00
Romanyshyn Trucking	010152	\$	29,700.00
Roughrider Electric Cooperative, Inc.	010153	\$	957.80
RPM Auto Repair	010154	\$	2,355.44
Rummel, Keri J.	010155	\$	273.00
Rummel, Patrick	010156	\$	49.00
Runnings Supply, Inc.	010157	\$	584.93
Sax Motor Co.	010158	\$	1,139.62
Service Printers	010159	\$	1,077.25
Share Corporation	010160	\$	360.28
Southwest Business Machines	010161	\$	508.80
Southwest Multi-Co. Correction Ctr.	010162	\$	143.00
Southwest Water Authority	010163	\$	3,169.55
Southwest Water Authority	010164	\$	78.27
Southwestern District Health Unit	010165	\$	269.29
Steffan Saw & Bike	010166	\$	284.71
Stein's, Inc.	010167	\$	3,621.68

Stryker Sales Corporation	010168	\$	4,150.98
Swanson, Stacey	010169	\$	456.50
Tab Electronics	010170	\$	1,203.80
Taser International	010171	\$	96.86
Tczap, John	010172	\$	100.00
Tom’s Service Center	010173	\$	139.30
Total Safety U.S., Inc.	010174	\$	52.00
True North Steel	010175	\$	20,379.12
U P S Store	010176	\$	35.96
UltraMax	010177	\$	423.00
Uniform Center	010178	\$	1,581.85
Vanguard Appraisals, Inc.	010179	\$	4,450.00
Verizon Wireless	010180	\$	1,896.68
Vogel Law Firm	010181	\$	245.00
Wal-Mart	010182	\$	361.76
Warne Chemical & Equipment Co.	010183	\$	34.42
West Dakota Oil, Inc.	010184	\$	62,793.85
West Plains, Inc.	010185	\$	130.00
Westlie Truck Center	010186	\$	11,549.48
Wosepka, P.C., James J.	010187	\$	2,000.00
Job Service North Dakota	010190	\$	1,562.55
N.D. P.E.R.S.	010192	\$	33,066.14
Century Link	010197	\$	529.40
Consolidated	010198	\$	232.19
Discovery Benefits, Inc.	010199	\$	83.00
Information Technology Dept.	010200	\$	1,830.70
Medora, City of...	010201	\$	318.29
N.D. P.E.R.S.	010202	\$	823.36
Reservation Telephone Cooperative	010203	\$	40.00
Roughrider Electric Cooperative	010204	\$	3,044.84
Visa	010205	\$	8,913.60
Visa	010206	\$	<u>770.94</u>

Chairman Arthaud noted that a motion had not been made to rescind the \$3,000.00 raises to department heads that were approved at the last meeting. Kessel moved to rescind the \$3,000.00 Department head raises. Kasian seconded. All voted aye.

At 1:45PM, the Final Budget Public Hearing was opened. No one appeared for or against the 2016 budget. Kessel moved to approve the 2016 final budget. Kasian seconded. All voted aye.

The board approved the revenue vouchers for the month of September: Recorder \$2,254.70; Zoning \$300.00; Court \$72.00

Revenues for materials and/or services rendered in September: Pat Marx \$419.25 scoria & hauling; Gary Nelson \$108.68 gravel; 24/7 Contracting Services, Inc \$7,815.15 riprap & aggregate; Jeff Iverson \$251.00 Trailer; Hlebechuk Construction \$31,752.00 gravel for Frank’s Creek Rd; Hlebechuk Construction \$96,248.25 gravel for 8th Street Rd.

Revenues for the month of September: Sheriff \$9,860.00 permits, Sheriff \$200.00 24/7 payments; Highway Tax Distribution \$14,395.39; Oil & Gas Production Tax \$461,835.78; Interest \$2,570.88; Royalties \$50,558.45; Unorganized Oil & Gas Production Tax \$93,376.27; 1358/Surge Reimbursement from State of ND \$1,220,992.65; Maps \$69.89; Mineral Royalties \$71,433.41

Payroll in the following amounts were approved for August: General Fund \$153,795.82; Road and Bridge Fund \$112,323.33; Weed Fund \$40,783.75.

With there being no further business, Kessel moved to adjourn the meeting at 2:15P.M. Kasian seconded. All voted aye.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer